

JOE WARDY  
MAYOR



**CITY COUNCIL**

SUSAN AUSTIN  
DISTRICT NO. 1

ROBERT A. CUSHING, JR.  
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO  
DISTRICT NO. 3

JOHN F. COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY W. COBOS  
DISTRICT NO. 8

LEGISLATIVE REVIEW COMMITTEE MEETING  
OF THE WHOLE  
COUNCIL CHAMBERS  
SEPTEMBER 15, 2003  
9:00 A.M.

The City Council met at the above place and date at approximately 9:13 a.m. Mayor Pro Tem Anthony W. Cobos present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., John F. Cook, and Vivian Rojas. Absent: Jose Alexandro Lozano, Daniel S. Power, and Paul J. Escobar

**AGENDA**

Any matters posted for Tuesday's Regular Council Meeting of September 16, 2003.

Representative Cushing questioned items 21 and 22A:

**21.** Request approval to amend the motion approving Contract No. 2003-176 Asbestos Abatement Services, awarded by Mayor and Council on August 12, 2003, from \$395,725.00 for three years to \$694,103.76, an increase of \$298,378.76 to add the separate funding for the Plaza Theater Project and Annex asbestos abatement.

Account/Fund Number: 31255011-27697-508024 Plaza Theater  
Testing (CWP), El Paso Community Foundation  
Project Number: PPW0310  
[Purchasing, Ray Heredia, (915) 541-4316]

Messrs. Byron Johnson, Purchasing Director, and Ed Drusina, Deputy CAO Municipal Services, responded.

Representatives Cobos, Rojas, and Austin added questions and comments.

Messrs. Byron Johnson, Purchasing Director, and Ed Drusina, Deputy CAO Municipal Services, responded.

**22A.** Bid No.: 2003-201 Animal Shelter  
Award to: Jan-Car Inc.  
El Paso, Texas  
Item (s): Base Bid I: \$3,099,617.00  
Base Bid IA: \$ 125.00

Amount:	Alternate #1: \$ 7,700.00 \$3,107,442.00
Department:	Health District
Funds available:	31250202/31255007/PPW0051/27217/27699/508027
Funding source:	Certificate of Obligations
Total award:	\$3,107,442.00
<b>District (s):</b>	<b>2</b>

Messrs. Byron Johnson, Director of Purchasing, and Bill Chapman, Deputy Chief Administrative Officer for Financial and Administrative Services, explained.

Representatives Austin, Rojas, and Cobos also asked questions of Mr. Johnson.

Mr. Johnson responded.

Representative Austin explained the correlation between items 4, 26C, 26D, 26E, 26F, 29B, and 29E, and commented on items 26B and 29D and answered questions of City Representatives.

**4.** Discussion and action on a presentation of a petition to the Mayor and City Council requesting a vote to approve a ninety day moratorium on zoning approvals in the Upper Valley of El Paso from Country Club Road to Borderland Road and the river to the western boundary of the city limits pending a review and public comment of the 1995 and 2025 plans as they relate to the development of the Upper Valley. The Review to be based upon discussions, investigations and recommendations conducted under the coordination of the City Planning Commission with public comment and City Departmental input. For discussion and action. [G .A. "Jorge" Molinar]

**26C.** Discussion and action to direct staff of the Planning Department to prepare an amendment to the *Plan for El Paso* with certain provisions affecting residential and commercial development in the "Upper Valley Study Area," to obtain review by the Development Coordinating Committee and City Plan Commission, and to bring forward the requested amendment for City Council action within a period of no more than ninety (90) days. [Representative Susan F. Austin, 541-4886]

**26D.** Discussion and action to direct staff of the Planning Department to review the *Master Thoroughfare Plan* and make recommendations regarding Redd Road/Gomez Road, to obtain review by the Development Coordinating Committee and City Plan Commission, and to bring forward the requested amendment for City Council action within a period of no more than ninety (90) days. [Representative Susan F. Austin, 541-4886]

**26E.** Discussion and action to direct staff of the Planning Department to prepare an amendment to the Municipal Code to also require posting signs on certain undeveloped land to notify the public of a rezoning application, to obtain review by the Development Coordinating Committee and City Plan Commission, and to bring forward the requested amendment for City Council action within a period of no more than ninety (90) days. [Representative Susan F. Austin, 541-4886]

**26F.** Discussion and action on a ninety day moratorium on zoning approvals in the Upper Valley of El Paso pending a review and public comment of the 1995 and 2025 Plans as they relate to the development of the Upper Valley. The review to be based upon discussions, investigations and recommendations conducted under the coordination of the City Plan Commission with public comment and City departmental input. [Representative Susan F. Austin, 541-4886]

**29B.** An Ordinance granting Special Permit No. SU-03018, to allow for a planned residential development on a portion of Tract 1B and Tract 2B, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas (Upper Valley Road North of Artcraft Road) pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: RPW Development Ltd. / Representative: CEA Engineering Group; 2718 Wyoming, El Paso, TX 79903 **(District 1)** [Planning, Research and Development, Fred Lopez, (915) 541-4925]

**29E.** An Ordinance changing the zoning of all of Tracts 1F, 3B, 3B1A and 3C, and portions of Tracts 1J, 1J1 and 1K, Block 10, Upper Valley Surveys, El Paso, El Paso County, Texas (Artcraft Road and Westside Drive) from R-F (Ranch-Farm) to R-3A (Residential). The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Rancho Real V, Ltd. / Representative: Conde, Inc.; 1790 Lee Treviño Drive Suite 400, El Paso, TX 79936. ZC-03017 **(District 1) THIS IS AN APPEAL CASE** [Planning, Research and Development, Kimberly Forsyth, (915) 541-4631]

**26B.** Discussion and action on request by the El Paso School of Excellence for reconsideration of City Council approval on November 12, 2002, of the sale of alcoholic beverages by Super Store #10 (Moshe Yardeni) at 1603 George Dieter. **(District 6)** [Building Permits and Inspections, Said Larbi-Cherif, (915) 541-4792]

Mr. Said Larbi-Cherif, Interim Director of Building Permits and Inspections, responded.

Representative Cook explained that he serves on the Board for the El Paso School of Excellence and would refrain from speaking.

**29D.** An Ordinance vacating a portion of Redd Road right-of-way, adjacent to Lot 2, Block 1, Ten Redd Commercial Park Subdivision, (200 Block of Redd Road), City of El Paso, El Paso County, Texas. **(District 1)** [Planning, Research & Development, Rodolfo Valdez, 541-4635]

Mr. Rudy Valdez, Chief Urban Planner, responded.

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Representative Cook questioned item 22A:

<b>22A.</b> Bid No.:	2003-201	Animal Shelter
Award to:		Jan-Car Inc.
		El Paso, Texas
Item (s):		Base Bid I: \$3,099,617.00
		Base Bid IA: \$ 125.00
		Alternate #1: \$ 7,700.00
Amount:		\$3,107,442.00
Department:		Health District
Funds available:		31250202/31255007/PPW0051/27217/27699/508027
Funding source:		Certificate of Obligations

Representative Cook requested that the Funding source be revised to read "Certificate of Obligation".

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Representative Rojas questioned item 7A:

**7A.** Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.52.040 and 18.52.080 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

8232 McElroy Avenue	\$6,869.94	Maria Baxley, Executrix of the Estate
<b>(District 7)</b>		of Angelica Reyes
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]		

Ms. Teresa Garcia, Assistant City Attorney, responded.


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Motion made by Representative Austin, seconded by Representative Rojas and unanimously carried to adjourn this meeting at 9:50 a.m.

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APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

  
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Richarda Duffy Momsen, City Clerk

  
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Lisa A. Elizondo, City Attorney